

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DORSE INTERNATIONAL, INC.,

Plaintiff,

NOTICE OF MOTION

-against-

Case No. 07 Civ. 7642 (SHS) (FM)

D.R.A. GAD, INC.,

Defendant.

-----X

**TO: D.R.A. Gad, Inc.
15 West 47th Street
Suite 802
New York, New York 10036**

PLEASE TAKE NOTICE that on the 2nd day of November, 2007, at 10:00 a.m., or as soon thereafter as counsel may be heard, plaintiff Dorse International, Inc., by its undersigned attorneys, shall move before the Honorable Sidney H. Stein, United States Courthouse, Courtroom 23A, at 500 Pearl Street, New York, New York 10007, for the entry of an Order granting to plaintiff a default judgment against defendant D.R.A. Gad, Inc. in the form submitted herewith and other relief in the above-captioned action.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, plaintiff shall rely upon this Notice of Motion, the Affidavit for Judgment by Default of Scott B. Kuperberg, the Statement of Damages, the the pleadings previously submitted, together with all exhibits, submitted herewith.

[SIGNATURES ON THE FOLLOWING PAGE]

Dated: New York, New York
October 19, 2007

WINOGRAD & WINOGRAD P.C.

By: 

Corey Winograd (CW-8280)
450 Seventh Avenue
Suite 1308
New York, New York 10123
(212) 268-6900

Scott B. Kuperberg
Admitted *Pro Hac Vice*
Richard S. Alembik, PC
315 West Ponce de Leon Avenue
Suite 250
Decatur, Georgia 30030
(404) 373-0205

Attorneys for Plaintiff

To: D.R.A. Gad, Inc.
15 West 47th Street
Suite 802
New York, New York 10036

UNITES STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DORSE INTERNATIONAL, INC.,

Plaintiff,

-against-

**AFFIDAVIT FOR
JUDGMENT BY DEFAULT**

Case No. 07 Civ. 7642 (SHS) (FM)

D.R.A. GAD, INC.,

Defendant.

-----X

STATE OF GEORGIA)
) ss.:
COUNTY OF DEKALB)

SCOTT B. KUPERBERG, being duly sworn, deposes and says:

1. I am admitted to the Bar of this Court *pro hac vice*, and am co-counsel with the firm of Winograd & Winograd, P.C., attorneys for Plaintiff in the above-entitled action and I am familiar with all the facts and circumstances in this action.

2. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of New York, in support of Plaintiff's application for the entry of a default judgment against Defendant.

3. This is an action to recover \$77,298.00 owed by Defendant to Plaintiff for the unpaid balance of the purchase price of a quantity of tanzanite gemstones, which were delivered by Plaintiff and accepted by Defendant, resulting in breach of contract, writing of bad checks, conversion and unjust enrichment by Defendant.

4. Jurisdiction of the subject matter is based on 28 U.S.C. § 1332(a), in that the amount in controversy exceeds \$75,000, and there is complete diversity of the parties.

44

5. This action was commenced on August 28, 2007, by filing of the Summons and Complaint. A copy of the Summons and Complaint was served on the Defendant on September 10, 2007, via service upon the Secretary of State of New York, pursuant to New York Business Corporation Law §304(a), and proof of service by the process server was filed. Defendant has not answered the Complaint and the time for Defendant to answer the Complaint has expired.

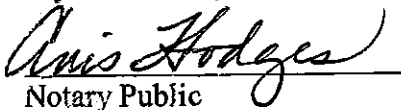
6. This action seeks judgment for the liquidated amount of \$77,298.00, plus interest at 9% per annum, from November 30, 2006 to November 2, 2007, of \$6,377.09, plus costs and disbursements of \$431.00, for a total of \$84,106.09 as shown by the Statement of Damages, which is justly due and owing, and no part of which has been paid except as therein set forth.

7. The disbursements sought to be taxed have been made in this action or will necessarily be made herein.

WHEREFORE, Plaintiff requests the entry of Default and the entry of the annexed Judgment against Defendant.


SCOTT B. KUPERBERG

Sworn to before me this 18th
day of October, 2007.


Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Nov. 13, 2007

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-----X
DORSE INTERNATIONAL, INC.,

Plaintiff,

Case No. 07 Civ. 7642 (SHS)

-against-

CLERK'S CERTIFICATE

D.R.A GAD, INC.,

Defendant.
-----X

I, J. MICHAEL MCMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action commenced on August 28, 2007 with the filing of a summons and complaint, a copy of the summons and complaint was served on defendant by serving on September 10, 2007 the Secretary of State of the State of New York by personally serving Carol Vogt, legal clerk who is authorized to accept service on behalf of the Secretary of State, and proof of such service thereof was filed on September 18, 2007.

I further certify that the docket entries indicate that the defendant has not filed an answer or otherwise moved with respect to the complaint herein. The default of the defendant is hereby noted.

Dated: New York, New York

OCT 16, 2007

J. MICHAEL MCMAHON
Clerk of the Court

By: 
Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DORSE INTERNATIONAL, INC.,

Plaintiff,

STATEMENT OF DAMAGES

-against-

Case No. 07 Civ. 7642 (SHS) (FM)

D.R.A. GAD, INC.,

Defendant.

-----X

Principal amount sued for \$77,298.00

Interest at 9% per annum from November 30, 2006, through November 2, 2007\$ 6,377.09

Costs and Disbursements

Clerk's Fee \$ 350.00


Process Server fee for service \$ 71.00

Statutory Fee \$ 10.00

Total (through November 2, 2007)**\$84,106.09**

Dated: New York, New York
October 17, 2007

WINOGRAD & WINOGRAD P.C.

By: 
Corey Winograd (CW-8280)
450 Seventh Avenue
Suite 1308
New York, New York 10123
(212) 268-6900

Scott B. Kuperberg
Admitted *Pro Hac Vice*
Richard S. Alembik, PC
315 West Ponce de Leon Avenue
Suite 250
Decatur, Georgia 30030
(404) 373-0205

Attorneys for Plaintiff

To: D.R.A. Gad, Inc.
15 West 47th Street
Suite 802
New York, New York 10036

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DORSE INTERNATIONAL, INC.,

Plaintiff,

JUDGMENT

-against-

Case No. 07 Civ. 7642 (SHS) (FM)

D.R.A. GAD, INC.,

Defendant.

-----X

This action having been commenced on August 28, 2007, by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served on Defendant through the New York Secretary of State on September 10, 2007, and proof of service having been filed on September 18, 2007, and the Defendant not having answered the Complaint, and the time for answering the Complaint having expired it is

ORDERED, ADJUDGED AND DECREED: That the Plaintiff have judgment against Defendant in the liquidated amount of \$77,298.00, with interest at 9% per annum from November 30, 2006 to November 2, 2007 of \$6,377.09, plus costs and disbursements of \$431.00, amounting in all to \$84,106.09.

Dated: New York, New York
November __, 2007

U.S.D.J.

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

DORSE INTERNATIONAL, INC.

SUMMONS IN A CIVIL ACTION

V.

D.R.A. GAD, INC.

CASE NUMBER
07 CIV 7642

TO: (Name and address of Defendant)

D.R.A. GAD, INC.
15 West 47th Street, Suite 802
New York, New York 10036

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Corey Winograd
Winograd & Winograd P.C.
450 Seventh Avenue, Suite 1308
New York, New York 10123

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

AUG 28 2007

DATE

(By) DEPUTY CLERK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-----X
DORSE INTERNATIONAL, INC.,

Plaintiff,

COMPLAINT

JURY TRIAL DEMANDED

-- against --

D.R.A GAD, INC.,

Case No. 07 Civ. 7642 (SHS) (FM)

ECF Case

Defendant.
-----X

Plaintiff, DORSE INTERNATIONAL, INC. ("Dorse"), by its undersigned counsel, brings this Complaint against defendant D.R.A. GAD, INC. ("D.R.A.") and respectfully alleges as follows:

NATURE OF THE ACTION

1. This is an action for, *inter alia*, breach of contract, unjust enrichment, conversion, and restitution for bad checks, all based on unlawful and improper conduct committed by defendant as against plaintiff.

JURISDICTION AND VENUE

2. The Court's jurisdiction is invoked in accordance with 28 U.S.C. §1332(a) in that the amount in controversy exceeds \$75,000.00, exclusive of interest and costs, and there exists complete diversity among the parties as Dorse is a Georgia corporation and D.R.A. is a New York corporation.

3. Venue is proper pursuant to 28 U.S.C. §1391(a) because the substantial part of the relevant events concerning this case occurred within, and D.R.A. maintains its principal place of business in, the Southern District of New York.

THE PARTIES

4. Dorse is a corporation existing by virtue of the laws of the State of Georgia, with offices located at 2385 Scotney Castle Lane, Powder Springs, Georgia.

5. D.R.A. is a corporation existing by virtue of the laws of the State of New York, with its principal offices located at 15 West 47th Street, Suite 802, New York, New York, and its registered agent for service located at 97-07 67th Avenue, Rego Park, New York, where D.R.A. may be served with process.

THE FACTS

6. Dorse is in the business of exporting precious gemstones from Africa and selling them to distributors and retailers within the United States and throughout the world.

7. Upon information and belief, D.R.A. is in the business of purchasing precious gemstones from importers and selling them to jewelers and retailers within the Southern District of New York, throughout the United States and around the world.

8. Upon information and belief, D.R.A. maintains its principal place of business in the area located on West 47th St., New York, New York which is commonly known as the "Diamond District."

9. At all times herein, there was a general custom in and throughout the Diamond District well understood by jewelry dealers including Dorse and D.R.A. that business was conducted by oral agreement and on good faith, based on a track record of previous performance of obligations.

10. In or about February 2006, the principals of both Dorse and D.R.A. entered into an oral purchase contract whereby D.R.A. agreed to purchase and did

purchase a quantity of goods, namely Tanzanite, a precious gemstone exported from the country of Tanzania, from Dorse which had possession of and legal title to the Tanzanite gemstones (the "Contract").

11. Upon information and belief, at the time of the Contract, the prevailing wholesale purchase price for Tanzanite was approximately \$370 per carat.

12. Based upon the prevailing wholesale price of \$370, the quantity of Tanzanite purchased by D.R.A. from Dorse was worth \$155,298.

13. As part of the terms and conditions of the Contract, Dorse offered D.R.A. a substantial discount off of the standard wholesale price in exchange for payment pursuant to the Contract.

14. The total discounted price offered to D.R.A. by Dorse was \$134,000 which, pursuant to the Contract, was contingent upon D.R.A. presenting eight checks each in the amount of \$16,750 payable to Dorse and post-dated for deposit of one check during each of the successive eight months.

15. At all times herein, it was the general custom in the Diamond District that if payment was not made pursuant to the Contract, that the discounted price offered as per the Contract would be rescinded and that the buyer would be obligated to pay the prevailing wholesale purchase price to the seller.

16. Pursuant to the Contract, D.R.A. presented Dorse with eight checks, to be drawn on its account at Valley National Bank located in New York, New York.

17. Pursuant to the Contract, Dorse delivered the Tanzanite stones and they were accepted by D.R.A. without reservation or objection.

18. The first four checks written by D.R.A. were presented for payment and each were honored and accepted by Dorse's bank for deposit.

19. However, when the last four checks were presented for payment, none were honored by Dorse's bank and all were returned for insufficient funds in D.R.A.'s account.

20. The four dishonored checks were as follows:

- a. Check No. 9245, dated November 30, 2006, in the amount of \$16,750;
- b. Check No. 9246, dated December 12, 2006, in the amount of \$16,750;
- c. Check No. 9248, dated January 11, 2007, in the amount of \$16,750;
- d. Check No. 9249, dated January 25, 2007, in the amount of \$16,750.

True copies of the four dishonored checks and their corresponding notices of dishonor from Wachovia Bank are attached hereto as Exhibit "A."

21. Dorse, through its counsel, made written demand to D.R.A. for payment on the four dishonored checks pursuant to O.C.G.A. § 13-6-15(c). A copy of the written notice is attached hereto as Exhibit "B."

22. After receipt of the written notice, D.R.A. remitted partial payment to Dorse in the amount of \$10,000 via wire transfer.

23. Upon information and belief, D.R.A. sold all of the Tanzanite stones received from Dorse at retail price, including the gem stones for which it did not pay.

**FIRST CAUSE OF ACTION
(Breach of Contract)**

24. Plaintiff repeats and realleges paragraphs "1" through "23" as if fully set forth herein.

25. Pursuant to U.C.C. § 2-201 (3) (c), the Contract is valid and enforceable despite not satisfying the requirements of the Statute of Frauds because partial payment has been made and the goods were accepted by the buyer, D.R.A.

26. D.R.A. breached the Contract by failing to make payment for the Tanzanite stones that it had already received and accepted in accordance with the Contract.

27. By virtue of D.R.A.'s breach, it forfeited the conditionally discounted price offered in the Contract.

28. Thus, D.R.A. owes Dorse \$77,298, which is the remainder of the prevailing wholesale purchase price of the Tanzanite stones, plus interest thereon from the date of the breach.

SECOND CAUSE OF ACTION
(Damages for the Writing of Bad Checks; O.C.G.A. § 13-6-15, *et seq.*)

29. Dorse repeats and realleges paragraphs "1" through "23" as if fully set forth herein.

30. D.R.A. has violated Section 13-6-15(a) of the Official Code of Georgia (O.C.G.A.), by making and delivering four bad checks that were presented for deposit and dishonored in the State of Georgia.

31. D.R.A. is liable to Dorse for the face amount of the checks equaling the sum of \$67,000, plus statutory damages in the amount of \$500 and a statutory premium charge of 5% of the face value of the four checks in the amount of \$3,350, as well as all bank charges to be determined at trial.

32. D.R.A. has reduced its liability under this cause of action by remitting partial payment in the amount of \$10,000.

33. Therefore, Dorse is entitled to a judgment under O.C.G.A. § 13-6-15, against D.R.A., in the amount of \$60,850, plus bank charges.

**THIRD CAUSE OF ACTION
(Unjust Enrichment)**

34. Dorse repeats and realleges paragraphs "1" through "23" as if fully set forth herein.

35. D.R.A. was in possession of \$77,298 worth of Tanzanite stones that it received from Dorse pursuant to the Contract, but for which it did not pay.

36. Upon information and belief, D.R.A. is no longer in possession of the Tanzanite stones and has sold them at a profit—for substantially more than the prevailing wholesale price.

37. Therefore, Dorse is entitled to a judgment against D.R.A. for its damages caused by D.R.A.'s unjust enrichment in an amount to be determined at trial, but for no less than \$77,298, plus interest thereon.

**FOURTH CAUSE OF ACTION
(Conversion)**

38. Dorse repeats and realleges paragraphs "1" through "23" as if fully set forth herein.

39. D.R.A. exercised exclusive and unauthorized dominion over the \$77,298 worth of Tanzanite gemstones that it received from Dorse without making payment.

40. As a result of the foregoing, D.R.A. converted \$77,298 worth of Tanzanite gemstones from Dorse.

41. D.R.A.'s conversion of those Tanzanite gemstones was accomplished by malice and/or reckless or willful disregard of Dorse's rights.

42. As a result of the conversion, Dorse has been damaged in an amount to be determined at trial, but for no less than \$77,298, plus interest and punitive damages thereon.

WHEREFORE, Plaintiff Dorse International, Inc. prays for relief as follows:

- (a) On the First Cause of Action, that a judgment be entered in favor of Dorse against D.R.A. in an amount to be determined at trial, but in no event less than \$77,298, plus interest thereon;
- (b) On the Second Cause of Action, that a judgment be entered in favor of Dorse and against D.R.A. in an amount not less than \$60,850, plus bank charges, and interest thereon;
- (c) On the Third Cause of Action, that a judgment be entered in favor of Dorse and against D.R.A. in an amount to be determined at trial, but in an amount not less than \$77,298, plus interest thereon;
- (d) On the Fourth Cause of Action, that a judgment be entered in favor of Dorse and against D.R.A. in an amount to be determined at trial, but in an amount not less than \$77,298, plus interest thereon and punitive damages in an amount to be determined at trial, but in an amount not less than \$500,000;

- (e) That Dorse be awarded attorney's fees, costs and disbursements; and
- (f) For such further relief as this Court deems just and proper.

Dated: New York, New York
August 27, 2007

WINOGRAD & WINOGRAD P.C.


By: 
Corey Winograd (CW-8280)
450 Seventh Avenue, Suite 1308
New York, New York 10123
(212) 268-6900
Attorneys for Plaintiff

EXHIBIT "A"



Case 1:07-cv-07642-SHS
1-800-WACHOVIA (922-4684)
Date: Dec 11, 2006 Advice D-529836

Document 7 Filed 10/19/2007 Page 19 of 29

WACHOVIA

A fee associated with this service will be reflected in your current account analysis statement. The items listed are enclosed. You may obtain payment from the maker.

Acct: 005/2080000644358

SEQ# ITEM AMOUNT
31509 16,750.00

DORSE INTERNATIONAL
2385 SCOTNEY CASTLE LN
POWDER SPRINGS GA 30127

1 Item charged totaling \$16,750.00

Advice Total \$16,750.00

⑆402333198⑆ 002080000644358⑈ ⑆0000529836⑈

D.R.A. GAD, INC.
15 W. 47TH ST., STE. 802
NEW YORK, NY 10036

VALLEY NATL BK MERCHANTS BK
NEW YORK CITY NY 10039

9245



Dorse International, Inc.

NSF
RETURNED BY
VALLEY NATL BANK

\$16,750.00

Sixteen thousand Seven Hundred Fifty and 00/100*****

Dorse International, Inc.

Purchase Replace #9912

⑆009245⑈ ⑆026006790⑈ 03 024188⑈ ⑆0001275000⑈

ENDORSE HERE
X

PAY TO THE ORDER OF
WACHOVIA BANK NA
FOR DEPOSIT ONLY
DORSE INTERNATIONAL
2080000644358

DO NOT WRITE STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

4073 34551

⑆5140648⑈
⑆02006 VALLEY NATL BANK INC⑈
⑆000040 FRB-PHILA⑈
⑆0410 006266⑈ ⑆06/2006 015⑈

⑆0000529836⑈ ⑆0000529836⑈ 31509

⑆0000529836⑈ ⑆0000529836⑈ 31509

⑆063107313⑈
WACHOVIA BANK NA
NEW YORK, NY 10039

⑆063107313⑈

**PAY TO THE ORDER OF
WACHOVIA BANK NA
FOR DEPOSIT ONLY
DOMEST INTERNATIONAL
30300064439**

4077 76503

6392399
012006
01000040 FRB-PHILA
NY-0218 WFO-0218 PK-BANK INC
0444080770 12/14/2006 010
139121864 31 12 12-18-2006 41053
12182008 33119348
031000481 FRB-PHILA
WFO-0218-0536-0218 PK=12
PHILADELPHIA-0218 TRC=5830 PK=05
SF-FI 2200K ZPK
1218294767

F-063107513-
 MAGNIFIA HA 2007 54
 02/20/07 12:00:00

[illegible]

Date: Nov 20, 2006 Advice D=214121

WACHOVIA

SEQ#	ITEM	AMOUNT
37502		16,750.00

1 item charged totaling \$16,750.00

Advice Total \$16,750.00

00000214121

**This is a LEGAL COPY of
your check. You can use it
the same way you would
use the original check.**

10312007301 01/17/2007
751005529045557

9248

D.R.A. GAD, INC.
13 W. 57TH ST., STE. 602
NEW YORK, NY 10019

VALLEY BANK, INC. MEMBERSHIP IN
NEW YORK CITY, NY 10001
1-676-2260

021301383

NSF

RETURNED BY

VALLEY NATIONAL BANK

DATE INTERNATIONAL INC.

SIXTEEN THOUSAND SEVEN HUNDRED FORTY

DATE INTERNATIONAL, INC.

NAME PURCHASE Deplace #9915

0009248 0026006790X 03 0731587 00015750007

07/1/2007

\$**16,730.00

7/2007 0 013

009 248 4:0 26006 790: 030 73 168 000 16 75000

75100552

FD-36

**PAY TO THE ORDER OF
WALDEPHIA BANK N.A.
FOR DEPOSIT ONLY
DO NOT WRITE ON THIS
CHECK**

053000206 01/17/2007
6436733870
031000040 01/17/2007
611506971

VALLEY NATL BANKS - FR

0456275270 0127 2007 013

1954年7月26日

UT-7645 TRC-6126 PK-01 ENT-7645

ENT-7645 TRC-6126 PK-01

UNCLAS F22-7414
EFT=ZNF JAC=8125 BR=01

• **↓Do not endorse or write below this line.↓**

01/19/2007 5969 26 97



1-800-WACHOVIA (922-4684)

Date: Feb 5, 2007 Advice D=496585

WACHOVIA

Acct: 005/2080000644358

A fee associated with this service will be reflected in your current account analysis statement. The items listed are enclosed. You may obtain payment from the maker.

SEQ#	ITEM	AMOUNT
36287		16,750.00

**DORSE INTERNATIONAL
2385 SCOTNEY CASTLE LN
POWDER SPRINGS GA 30127**

1 Item charged totaling \$16,750.00

Advice Total \$16,750.00

1402333198: 0020800006443581# 00004965851

D.R.A. CAD, INC.
 15 W. 47TH ST., STE. 802
 NEW YORK, NY 10036

VALLEY NATIONAL MERCHANTS BANK
 NEW YORK CITY, NY 10038
 1-574-2800

9249

1/25/2007

Pay to the order of
 Dorse International, Inc.

\$**16,750.00

Sixteen Thousand Seven Hundred Fifty and 00/100

PAID BY
 VALLEY NATIONAL BANK

memo Purchase - Repair #9011

004219 0260067401 03 07 1158 000015750000

Checkbook Reporting Service, Inc. is a nationally recognized leader in the financial services industry. We are now seeking qualified individuals for the following positions:

14306157
342007
34000040, FBS-PHILA
NY-0138, TRC-0258 PR-14 INC

TRIPS: 10 07 12 15 2007 36287

4:00E3687
1002200Z375000515
3:00000PK=PHILA
NT=60006390341012 PK=12
ENT=5855 TRC=5861 PK=05

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

**PAY TO THE ORDER OF
WACHOVIA BANK NA
FOR DEPOSIT ONLY
DORSE INTERNATIONAL
208000644309**

ENDORSE HERE

EXHIBIT "B"

RICHARD S. ALEMBIK, PC

ATTORNEYS AT LAW

315 West Ponce de Leon Avenue, Suite 250
Decatur, Georgia 30030-5100 (USA)

www.alembik.com

RICHARD S. ALEMBIK

OF COUNSEL

WILLIAM S. DOMINY
E. MICHELLE DRAKE

404-378-0205
404-795-8999 (FAX)
rick@alembik.com

March 8, 2007

VIA FIRST CLASS AND
CERTIFIED MAIL NO.: 7006 0810 0004 2208 0880

Mr. Doron Gad
1628 Diplomat Dr.
Miami, FL 33179-6417

VIA FIRST CLASS AND
CERTIFIED MAIL NO.: 7006 0810 0004 2208 0897

Mr. Doron Gad
150 Green way Ter.
Apt. 51-E
Forest Hills, NY 11375-5298

RE: Notice of Bad Check Pursuant to
Official Code of Georgia § 13-6-15(c)

Our Client(s): Dorse International, Inc.

Our File No.: 2174001-001-010

Dear Mr. Gad:

You are hereby notified that the following instruments:

Instrument	Date	Amount	Name of Bank
9249	1/25/07	\$16,750	Valley Natl. Bk. Merchants Bk.
9248	1/11/07	\$16,750	Valley Natl. Bk. Merchants Bk.
9246	12/12/06	\$16,750	Valley Natl. Bk. Merchants Bk.
9245	11/30/06	\$16,750	Valley Natl. Bk. Merchants Bk.

Mr. Doron Gad
March 8, 2007
Page 2

drawn upon Valley National Bank Merchants Bank and payable to "Dorse International, Inc." have been dishonored.

Pursuant to Georgia law, you have ten days from receipt of this notice to tender payment of the full amount of the check or instrument plus a service charge of \$25 or 5 percent of the face amount of the check or instrument, whichever is greater, plus the amount of any fees charged to the holder of the instrument by a bank or financial institution as a result of the instrument not being honored, the total amount due being \$70,350.

Unless this amount is paid in full within the ten-day period, the holder of the check or instrument may file a civil suit against you for two times the amount of the check or instrument, but in no case more than \$500, in addition to the payment of the check or instrument plus any court costs incurred by the payee in taking the action.

Please transmit payments to this office and make any instrument payable to "Dorse International, Inc."

Sincerely,

RICHARD S. ALEMBIK, PC

By:



Richard S. Alembik

RA/ach

cc: Dorse International, Inc. (via e-mail only)

RICHARD S. ALEMBIK, PC**ATTORNEYS AT LAW**315 West Peachtree Lane Avenue, Suite 250
Decatur, Georgia 30030-5100 (USA)
www.alembik.com**OF COUNSEL****WILLIAM S. DOMINY
E. MICHELLE DRAKE****RICHARD S. ALEMBIK**404-378-0205
404-795-8989 (FAX)
rick@alembik.com

March 8, 2007

VIA FIRST CLASS AND**CERTIFIED MAIL NO.: 7006 0810 0004 2208 0880**Mr. Doron Gad
1628 Diplomat Dr.
Miami, FL 33179-6417**VIA FIRST CLASS AND****CERTIFIED MAIL NO.: 7006 0810 0004 2208 0897**Mr. Doron Gad
150 Green way Ter.
Apt. 51-E
Forest Hills, NY 11375-5298RE: Notice of Bad Check Pursuant to
Official Code of Georgia § 13-6-15(c)Our Client(s): Dorse International, Inc.
Our File No.: 2174001-001-010**RICHARD S. ALEMBIK, PC****ATTORNEYS AT LAW**315 West Peachtree Lane Avenue, Suite 250
Decatur, Georgia 30030-5100 (USA)
www.alembik.com**OF COUNSEL****WILLIAM S. DOMINY
E. MICHELLE DRAKE****RICHARD S. ALEMBIK**404-378-0205
404-795-8989 (FAX)
rick@alembik.com

March 8, 2007

VIA FIRST CLASS AND**CERTIFIED MAIL NO.: 7006 0810 0004 2208 0880**Mr. Doron Gad
1628 Diplomat Dr.
Miami, FL 33179-6417**VIA FIRST CLASS AND****CERTIFIED MAIL NO.: 7006 0810 0004 2208 0880**Mr. Doron Gad
150 Green way Ter.
Apt. 51-E
Forest Hills, NY 11375-5298RE: Notice of Bad
Official Code

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>2. Print your name and address on the reverse so that we can return the card to you.</p> <p>3. Attach this card to the back of the mailpiece, in the front if space permits.</p> <p>1. Name Addressed to:</p> <p>Doron Gad 1628 Diplomat Dr. Miami, FL 33179-6417</p>		<p>A. Signature</p> <p>X <i>[Signature]</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p><i>[Signature]</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>C. Date of Delivery</p> <p>3-12-07</p> <p>D. Is delivery address different from above? If YES, enter delivery address below:</p> <p><i>[Signature]</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>MAR 16 2007</p> <p>R.S. Alembik, P.C.</p>	
<p>2. Article Number</p> <p>(Transfer from card)</p> <p>7006 0810 0004 2208 0880</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>			

① ② ③
13.12.07
3/17
3/27

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICEService of the Summons and complaint was made by me⁽¹⁾DATE 9/11/07

NAME OF SERVER (PRINT)

Steven C. Avery

TITLE

Process Server

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served:Secretary of State
Albany, NY☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☒ Other (specify): Served upon Carol Vogt, legal clerk who is authorized to accept service on behalf of the Secretary of State

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL \$0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

9/12/07
Date

Signature of Server

Steven C. Avery - ~~Enright~~

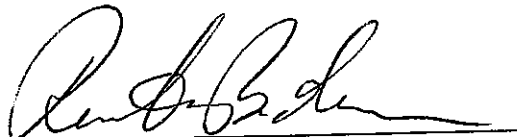
Address of Server

93 West Sand Lake Road Westkill, NY
12198

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Notice of Motion, Affidavit for Judgment by Default, Clerk's Certificate, Statement of Damages, Summons and Complaint of plaintiff Dorse International, Inc. with proof of service and the Proposed Judgment were furnished by regular mail to D.R.A. Gad, Inc., 15 West 47th Street, Suite 802, New York, New York 10036 on the 19th day of October, 2007.



RENATA BODNER